



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2C

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File No. 111897B

In Re:

Mirtha D. Perez

Order Filed on January 5, 2024
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 23-16132-JKS

Hearing Date: December 14, 2023
Judge: John K. Sherwood

Chapter 13

Recommended Local Form

☒ Followed

☐ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through (3) is hereby **ORDERED**.

DATED: January 5, 2024



Honorable John K. Sherwood
United States Bankruptcy Court

Applicant: Discover Bank
Applicant's Counsel: Rob Saltzman, Esquire
Debtor's Counsel: Jamal J Romero, Esquire
Property Involved ("Collateral"): 21 Terrace Place, Kearny, NJ 07032
Relief Sought: ☒ Motion for Relief From the Automatic Stay

For good cause shown, it is **ORDERED** that Applicant's Motion is resolved, subject to the following conditions:

1. Status of post-Petition arrearages:
 - ☒ The Debtor is overdue for five months, from August 4, 2023 to December 4, 2023.
 - ☒ The Debtor is overdue for five payments at \$398.48 per month.Total Arrearages Due \$1,992.40.
2. Debtor must cure all post-Petition arrearages as follows:
 - ☒ Immediate payment shall be made in the amount of \$1,992.40. Payment shall be made no later than December 31, 2023.
 - ☒ Beginning on January 4, 2024, regular monthly mortgage payments shall continue to be made in the amount of \$398.48. Future monthly mortgage payments are subject to future escrow or rate adjustments.
3. Payments to the Secured Creditor shall be made to the following address(es):
 - ☒ Immediate payment and Regular monthly payments:

Discover Bank
1 Corporate Drive, Suite 360
Lake Zurich, IL 60047
4. In the event of Default:
 - ☒ If the Debtor does not make the immediate payment specified above or does not make any regular monthly payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the

Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor and the Debtor's attorney.

5. Award of Attorney's Fees:

☒ The Applicant is awarded attorneys fees of \$350.00, and costs of \$188.00.

The fees and costs are payable:

☒ through the Chapter 13 Plan.

In re:
Mirtha D. Perez
Debtor

Case No. 23-16132-JKS
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jan 05, 2024

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 07, 2024:

Recip ID	Recipient Name and Address
db	+ Mirtha D. Perez, 21 Terrace Place, Kearny, NJ 07032-1621

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 07, 2024

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 5, 2024 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Federal Home Loan Mortgage Corporation as Trustee for the benefit of the Freddie Mac Seasoned Credit Risk Transfer Trust, Series 2019-2 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jamal J Romero	on behalf of Debtor Mirtha D. Perez jromero@scura.com dstevens@scura.com;ecfbkfilings@scuramealey.com;vmajano@scura.com;spereyra@scura.com;14799@notices.nextchapterbk.com;sterry@scura.com
Marie-Ann Greenberg	magecf@magtrustee.com
Robert P. Saltzman	on behalf of Creditor Discover Bank dnj@pbslaw.org
Stuart H. West	on behalf of Creditor Discover Bank swest@pbslaw.org

District/off: 0312-2

User: admin

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Date Rcvd: Jan 05, 2024

Form ID: pdf903

Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6